

July 6, 2005

Docket No.05-015-1  
Regulatory Analysis and Development, PPD  
APHIS, Station 3C71  
4700 River Road Unit 118  
Riverdale MD 20737-1238

**RE: U.S. DEPARTMENT OF AGRICULTURE (USDA) ANIMAL & PLANT HEALTH INSPECTION SERVICE (APHIS); NATIONAL ANIMAL IDENTIFICATION SYSTEM (NAIS) [DOCKET NO. 05-015-1].**

Thank you for the opportunity to comment on the above captioned rule making.

I recognize the importance of an animal identification and tracking system in order to maintain high health standards in the U.S. cattle herd and to provide the public assurances of a safe and healthy product. The confirmation of bovine spongiform encephalopathy in a cow in Texas will increase the political pressure to move the Draft Strategic Plan deadline of a mandatory system by January 2009 forward. The integrity of the animal identification and tracking system could be compromised if it is implemented before a comprehensive review and analysis of the current pilot projects is completed. The states and tribes that are conducting these projects are not due to report their findings until the end of 2005. New Mexico is participating as a part of the Tri-National Livestock and Animal Health Consortium. Early indications are that low frequency tags and readers have definite system limitations that raise questions of their effectiveness under open rangeland situations. Premise registration in New Mexico has been at a standstill because of the inability of the USDA system to recognize most producers' physical addresses. More consideration should be given to those states with brand laws that have an existing data base and utilizing these systems. The premises ID phase of the NAIS is the foundation of the entire animal identification system. Until producers can routinely register a premise with no hassles or complications, the entire system cannot move forward.

I believe the following points are key as the development of national animal identification progresses:

- Care must be taken to insure that a system is not created before all of the problems are worked out. This issue must not be driven by political or public pressure.
- All domestic individual animal identification programs must remain voluntary until key barriers to compliance are overcome.
- Producers must not bear the financial or reporting burden of a national animal ID system.
- There should be no private holder of data. Data should be held by states with only federal or state animal health officials having access to the system.
- Only information necessary to trace an animal's movement in the event of a disease outbreak should be allowed into the NAIS.
- Confidentiality of data must be guaranteed.
- Existing tracking systems such as brands must be incorporated into the NAIS to avoid duplication and additional costs. States with brand laws already have the ability to trace animals in less than 48 hours. NMCGA supports the desires of producers of other species to utilize systems existing within their industries, such as the scrapie system recently put in place by the US sheep industry.
- All species should be required to follow the same implementation timeline.
- Marrying tag numbers to premises early in the process as envisioned in the draft eliminates flexibility for those who manage multiple premises and/or those who have extremely small numbers of animals.

- Who will enforce the rule prohibiting tag removal?

Thank you for the opportunity to provide this input in the rule-making process. NMCGA looks forward to future participation as the USDA develops a program that safeguards the health of US livestock, benefits producers and consumers while maintaining the economic viability of this nation's livestock industry.

Sincerely,  
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